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January 19, 2017

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: i-wireless, LLC Petition for Streamlined Designation as a Lifeline
Broadband Provider Eligible Telecommunications Carrier; Oral Ex
Parte Presentation; WC Docket No. 09-197**

Dear Ms. Dortch:

On January 17, 2017, John Heitmann of Kelley Drye & Warren LLP spoke via telephone on behalf of i-wireless, LLC (i-wireless) with Claude Aiken, Legal Advisor to Commissioner Clyburn regarding i-wireless's pending petition for designation as a Lifeline Broadband Provider (LBP) pursuant to the Lifeline Modernization Order.¹

During this discussion, I contested the Wireline Competition Bureau's (Bureau's) removal of i-wireless's petition from streamlined processing. Specifically, I explained that the newly minted LBP designation process already was in danger of becoming a replica of the dysfunctional federal ETC designation and Lifeline-only compliance plan approval processes, through which the Commission has thwarted competitive entry not only in those states where it designates wireless service providers as ETCs, but across the country.² By standardizing

¹ See *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 et al., Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962, 3969, para. 22 (2016) (Lifeline Modernization Order).

² With one exception applicable to two ETCs, each serving a single state, the Bureau last granted approval of a petition for Lifeline-only designation as an eligible telecommunications carrier in August 2012. See *Telecommunications Carriers Eligible for Universal Support, et al.*, WC Docket No. 09-197, Order (rel. August 16, 2012); see also *Telecommunications Carriers Eligible for Universal Service Support, et al.*, WC Docket No. 09-197, Order (rel. Nov. 26, 2014). With limited exceptions for wireline designation and an amended compliance plan, the Bureau last approved a compliance plan in December 2012. *Wireline Competition Bureau Approves The Compliance Plans of Airvoice Wireless, Amerimex Communications, Blue Jay Wireless, Millennium 2000, Nexus Communications, Platinumtel Communications, Sage*

Marlene Dortch
January 19, 2017
Page Two

application requirements and review periods, the LBP designation process was designed to streamline competitive entry, not thwart it.

I also contested the Bureau's claim that "[i]n determining whether the Bureau should grant a petition for LBP designation, the Bureau should consider the unique 'advantages and disadvantages of the applicant's service offerings.'" ³ I explained that with the Commission's broadband minimum service standards in place, it should approve applicants on a technology- and service-neutral basis so that consumers can determine for themselves—based on their individual circumstances—the advantages and disadvantages of particular service offerings.

Despite the foregoing concerns, I nevertheless highlighted the unique advantages of i-wireless's Lifeline broadband service offerings. i-wireless is a distinguished influencer in the Lifeline space, which lead the industry in the move to unlimited texting as a means of ensuring program participants retain access to essential communications all month long. Consistent with this approach, i-wireless now offers industry leading service plans including cellular voice minutes, unlimited text and 500 MB of data. i-wireless will offer a Wi-Fi-enabled and hotspot capable smartphone at no cost to the consumer. Though its community outreach program, i-wireless actively partners with over 3,500 non-profits and social service agencies. The company also leverages its relationship with Kroger to offer innovative rewards programs that further the consumer surplus attainable by their Lifeline consumers.

I concluded by requesting support for approving i-wireless's LBP designation so that consumers in states like Massachusetts, New Jersey and elsewhere could gain access to i-wireless's unique and innovative Lifeline service offerings.

Telecom, Telrite and Telscape Communications, WC Docket Nos. 09-197, 11-42, Public Notice (rel. Dec. 26, 2012).

³ See Lifeline Modernization Order ¶ 22.

KELLEY DRYE & WARREN LLP

Marlene Dortch
January 19, 2017
Page Three

Pursuant to Section 1.1206(b) of the Commission's rules, this letter is being filed electronically.

Respectfully submitted,



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cc: Claude Aiken